



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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August 4, 2005

IN REPLY PLEASE

REFER TO FILE: **B-2**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**FINDING AND ORDERS OF THE
BUILDING REHABILITATION APPEALS BOARD
SUPERVISORIAL DISTRICT 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the finding and orders of the Building Rehabilitation Appeals Board which provide for abatement of public nuisance at the following location:

21570 Las Flores Heights Road, Malibu

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Title 26 of the Los Angeles County Code, the Building Code, provides for abatement of public nuisances through rehabilitation procedures contained in Chapter 99. The Building Code also provides for a Building Rehabilitation Appeals Board, appointed by your Board, for the purpose of hearing appeals on matters concerning public nuisances.

Government Code Section 25845 requires that the property owner be provided an opportunity to appear before the Board and be heard prior to abatement of the nuisance by the County. However, your Board adopted modified procedures which delegated the required hearing to the Building Rehabilitation Appeals Board with the requirement that the Building Rehabilitation Appeals Board make a written recommendation to your Board.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goals of Service Excellence and Children and Families' Well-Being as it provides services to the public that have a wide-reaching positive effect on the entire community. The action will provide for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions which constitute a public nuisance. It will require the removal of trash, junk, debris, and inoperable vehicles from private property.

FISCAL IMPACT/FINANCING

There will be no negative fiscal impact or increase in net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Building Rehabilitation Appeals Board has conducted the required hearing for the property listed below. The Building Rehabilitation Appeals Board considered all competent evidence and testimony offered by all persons pertaining to the matters of substandard property. The Building Rehabilitation Appeals Board made a finding of facts in the matter and declared the following property to be a public nuisance.

Your Board may either adopt the finding and orders of the Building Rehabilitation Appeals Board without further notice of hearing or may set the matter for a de novo hearing before your Board.

ADDRESS: 21570 Las Flores Heights Road, Malibu

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by August 19, 2005, if substantial progress, extend to September 8, 2005, and maintained cleared thereafter. (b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by August 19, 2005, if substantial progress, extend to September 8, 2005.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.

2. Trash, junk, and debris scattered about the premises.
3. Miscellaneous articles of personal property scattered about the premises.
4. Boat(s) and parts thereof stored for unreasonable periods of time in yard areas contiguous to streets or highways.
5. The premises contain attractive nuisances dangerous to children, i.e., abandoned or broken equipment, burned vehicles, water tank, cargo container, and drain pipes.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

The Building Rehabilitation Appeals Board confirmed the County Building Official's finding that the listed property is substandard because it is injurious to health, offensive to the senses, and obstructs the free use of neighboring property so as to interfere with the comfortable enjoyment of life and property.

At such time as this recommendation is adopted, please return an adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

MP:hq
P:REHAB/BOARDLET/FO3

cc: Chief Administrative Office
County Counsel